

**PATENT**  
**CASE 4233C3**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Donald B. Appleby et al. : Group Art Unit: 1211  
Serial No.: 08/360,184 : Examiner: E. White  
Filed: December 20, 1994 :  
For: **Polyol Polyester Synthesis**

**DECLARATION UNDER 37 C.F.R. §1.608 OF MICHAEL W. McINTOSH**

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

I, MICHAEL W. McINTOSH, declare that:

1. I was employed by the assignee of the present application, The Procter & Gamble Company, from 1980 to 1994.
2. From 1983 to 1989 I worked as an analytical technician and process development technician on the sucrose polyester synthesis project in which sucrose and fatty acid methyl ester were reacted to form sucrose fatty acid esters.

3. While I was employed by The Procter & Gamble Company, I prepared at least one manual which described operation of pilot plant equipment for the continuous production of sucrose fatty acid polyesters from sucrose and fatty acid methyl esters using substantially solventless conditions, a catalyst and an emulsifier. I have reviewed Exhibit 1 and confirm that it comprises accurate copies of the title page, page ii and page 4.1 of the at least one manual, which was entitled "Continuous Pilot Plant Start-Up Manual" and which I authored on or about September 26, 1986.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By: Michael W. McIntosh  
Michael W. McIntosh

Date: MARCH 30, 1999

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